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[Additional Counsel Appear on Signature Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ROBERT A. SCANDLON, JR., On behalf of)
Himself and All Others Similarly Situated,)

Plaintiff,)

v.)

BLUE COAT SYSTEMS, INC., BRIAN M.)
NESMITH and GORDON C. BROOKS,)
Defendants.)

No. 3:11-cv-04293-RS

**STIPULATION AND [PROPOSED]
ORDER CHANGING SCHEDULED
DATES FOR MOTION TO DISMISS
HEARING AND CASE
MANAGEMENT CONFERENCE**

CLASS ACTION

1 Lead Plaintiff the Inter-Local Pension Fund of the Graphic Communications Conference
 2 of the International Brotherhood of Teamsters (“Lead Plaintiff” or “Inter-Local Pension Fund”)
 3 and defendants Blue Coat Systems, Inc., Brian M. NeSmith and Gordon C. Brooks
 4 (“Defendants”), by and through their respective counsel hereby recite and stipulate, subject to
 5 Court approval, to change the scheduled dates for hearing oral argument on Defendants’ Motion
 6 To Dismiss Plaintiff’s Amended Complaint and for the currently scheduled Case Management
 7 Conference. The parties respectfully submit this Stipulation And Proposed Order and the
 8 accompanying Declaration Of Andrew D. Abramowitz In Support Of Stipulation And
 9 [Proposed] Order Changing Scheduled Dates For Motion To Dismiss Hearing And Case
 10 Management Conference (“Abramowitz Declaration”), in accordance with Local Civil Rules 6-
 11 2 and 7-12.

12 **RECITALS**

13 WHEREAS plaintiff Robert Scandlon filed a securities class action complaint (“Initial
 14 Complaint”) on August 30, 2011 (Docket Number (“Dkt.”) 1) alleging that Defendants violated
 15 federal securities laws;

16 WHEREAS the Initial Complaint alleged claims arising under the Private Securities
 17 Litigation Reform Act of 1995 (“PSLRA”);

18 WHEREAS, on December 12, 2011, the Court granted the Inter-Local Pension Fund’s
 19 motion appointing it Lead Plaintiff and appointing Spector Roseman Kodroff & Willis, P.C. as
 20 lead counsel and Berman DeValerio as liaison counsel (Dkt. 41);

21 WHEREAS, on December 22, 2011, the parties filed and the Court entered a Stipulation
 22 And Order (1) Setting Date For Filing Of Amended Class Action Complaint (2) Establishing
 23 Briefing Schedule For Responsive Motion(s) And (3) Continuing Case Management
 24 Conference (the “Scheduling Order”) (Dkt. 43);

25 WHEREAS, in accordance with the Scheduling Order, Lead Plaintiff filed its First
 26 Amended Complaint For Violations Of Federal Securities Laws (“Amended Complaint”) on
 27 February 21, 2012 (Dkt. 44); Defendants’ filed their Motion To Dismiss Plaintiff’s Amended
 28 Complaint (“Motion To Dismiss”) on April 17, 2012 (Dkt. 46); Lead Plaintiff filed its

1 opposition on June 15, 2012 (Dkt. 49); and, Defendants' filed their reply on July 18, 2012 (Dkt.
2 54);

3 WHEREAS, the hearing on the Motion To Dismiss is scheduled for September 13, 2012
4 at 1:30 p.m.;

5 WHEREAS, on August 8, 2012, the Clerk of the Court entered a Clerk's Notice
6 continuing the scheduled Case Management Conference from September 6, 2012 to September
7 27, 2012 (Dkt. 57);

8 WHEREAS, counsel for Lead Plaintiff has a scheduling conflict on September 13, 2012
9 and has requested that the parties agree to move the hearing date;

10 WHEREAS, the next soonest date counsel for Lead Plaintiff is available is October 4,
11 2012, and Defendants do not object to moving the hearing date to October 4, 2012, subject to
12 Court approval;

13 WHEREAS, the parties further agree that it will serve the interests of justice and judicial
14 economy to continue the scheduled Case Management Conference, currently set for
15 September 27, 2012, until after the Court has ruled on the Motion To Dismiss;

16 WHEREAS, other than the Case Management Conference, no other events or deadlines
17 are scheduled and pending in the case;

18 **STIPULATION**

19 Therefore, IT IS HEREBY STIPULATED AND AGREED, by Lead Plaintiff and
20 Defendants, through their respective counsel of record, as follows:

- 21 1. The parties hereby request that the hearing on the Motion To Dismiss scheduled
22 for September 13, 2012 at 1:30 p.m. be taken off calendar and rescheduled for
23 October 4, 2012 at 1:30 p.m.
- 24 2. The parties hereby request that the Case Management Conference scheduled for
25 September 27, 2012 at 10:00 a.m. be taken off calendar pending further order of
26 the Court.

1 DATED: August 29, 2012

Respectfully submitted,

2 **BERMAN DEVALERIO**

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4 By: /s/ Anthony D. Phillips
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24 *Inter-Local Pension Fund and Proposed Lead*
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E-Filing Attestation

I, Anthony D. Phillips, am the ECF User whose ID and password are being used to file this document. In compliance with General Order 45 X.B., I hereby attest that Katherine L. Henderson has concurred in this filing.

/s/ Anthony D. Phillips
Anthony D. Phillips

PROPOSED ORDER

IT IS HEREBY ORDERED that:

1. The clerk shall remove the Motion Hearing scheduled for September 13, 2012 at 1:30 p.m. from the Court's calendar.
2. The clerk shall schedule a new Motion Hearing for the Motion To Dismiss for October 4, 2012 at 1:30 p.m.;
3. The clerk shall remove the Case Management Conference scheduled for September 27, 2012 at 10:00 a.m. from the Court's calendar.
4. The clerk will schedule a new Case Management Conference after the Court has ruled on Defendants' Motion To Dismiss.

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: 8/29/12



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE